Amendment and Response Application No.: 10/658,352 Filed: September 9, 2003

Page 8 of 9

## **REMARKS**

Claims 1-18 are currently pending. Please amend claims 1, 3-5, 12-13 and 15-16. Please cancel claims 2 and 11. Please add new claims 19 and 20. Support for the amendments to the claims can be found throughout the application as originally filed and, at least, at Paragraphs [02], [17], [45], [57], [71] and [75]; and FIGS. 3-4 and 7. Applicants respectfully submit that no new matter has been introduced by the amendments to the claims.

## Allowable Subject Matter

The Office Action states that claims 11-12 are objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants thank the Examiner for allowing claims 11-12. In the interest of expediting the subject application to allowance, Applicants respectfully submit that claim 1 has been amended to include all of the limitations of claim 11 and intervening dependent claim 2. Applicants respectfully submit that independent claims 13 and 15-16 have also been amended to reflect the allowable subject matter.

## Rejection Under 35 U.S.C. § 102(b)

The Office Action states that claims 1-10 and 13-18 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,215,789 issued to Keenan et al. ("Keenan").

In the interest of expediting prosecution and without conceding to the arguments made in the Office Action, Applicants respectfully submit that independent claim 1 has been amended to include the allowable subject matter of claim 11 and intervening dependent claim 2. Applicants also respectfully submit that independent claims 13 and 15-16 have also been amended to reflect the allowed subject matter. Claims 3-10 and 14 depend, directly or indirectly, from independent claims 1 and 13. Applicants respectfully submit that the amendments to the claims render the rejections under 35 U.S.C. § 102(b) moot. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejections.

Amendment and Response Application No.: 10/658,352

Filed: September 9, 2003 Page 9 of 9

New Claims 19 and 20

New claims 19 and 20 have been added to recite a communications system and a

computer program product that reflect the allowable subject matter. Applicants respectfully

request allowance of new claims 19 and 20.

**CONCLUSION** 

Applicants' discussion of particular positions of the Examiner does not constitute a

concession with respect to any positions that are not expressly contested by the Applicants.

Applicants' emphasis of particular reasons why the claims are patentable does not imply that

there are not other sufficient reasons why the claims are patentable nor does it imply the claims

were not allowable in their unamended form.

In view of the foregoing remarks and the inability of the prior art, alone or in

combination to anticipate, suggest, or make obvious the subject matter as a whole of the

invention disclosed and claimed in this application, Applicants respectfully submit that all claims

are submitted to be in a condition for allowance, and notice thereof is respectfully requested. If

the Examiner feels that a telephone conference would expedite the prosecution of this case, the

Examiner is invited to call the undersigned.

Date: March 10, 2009

Reg. No.: 62,804

Tel. No.: (617) 526-9878

Fax No.: (617) 526-9899

Respectfully submitted,

Michelle E. Park

Attorney for Applicants

Proskauer Rose LLP

One International Place

Boston, MA 02110